

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN THOMAS,

Defendant.

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8:05CR133

ORDER

This matter is before the court on defendant's unopposed MOTION FOR ENLARGEMENT OF TIME TO FILE PRETRIAL MOTIONS [14]. I will grant the motion in part. The defendant will be given an approximate 30-day extension. Pretrial Motions shall be filed by June 9, 2005.

IT IS ORDERED:

1. Defendant's MOTION FOR ENLARGEMENT OF TIME TO FILE PRETRIAL MOTIONS [14] is granted in part. Pretrial motions shall be filed on or before **June 9, 2005**. Defendant is ordered to file a waiver of speedy trial as soon as practicable.

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between May 10, 2005 and June 9, 2005**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED May 10, 2005.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**